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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,967	05/08/2001	Stuart A. Newman	51230-00601	1338
25243 7590 09/07/2007 KELLEY DRYE & WARREN LLP 3050 K STREET, NW SUITE 400 WASHINGTON, DC 20007			EXAMINER YU, MISOOK	
			ART UNIT 1642	PAPER NUMBER
			MAIL DATE 09/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09/849,967

Examiner

MISOOK YU

Applicant(s)

NEWMAN ET AL.

Art Unit

1642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 25 June 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
CRF contains errors. See the attached validation report (total 14 pages)

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

MISOOK YU  
PRIMARY EXAMINER  
*Misook Yu*

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

6/25/2007

=====

~~Sequence Listing could not be accepted due to errors.~~

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866) 217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: Mon Jun 25 15:28:53 EDT 2007

=====

\*\*\*\*\*

Reviewer Comments:

<210> 10

<211> 12

<212> PRT

<213> Homo sapiens

<220>

<221> MISC\_FEATURE

<222> (1)..(12)

<223> hnRNP B1 is defined as a human hnRNP core protein.

Correspond to amino acids 3 - 14 of hnRNP B2.

<400> 10

Lys Thr Leu Glu Thr Val Pro Leu Glu Arg Lys Lys

1

5

10

Although the <160> response is "4," 10 sequences are shown in the submitted file. See above. Also, please move the second sentence of the <223> response (begins with "Correspond") to the second line of the <223> response. Per 1.823 of the Sequence Rules, the maximum number of characters per line is 72 (includes white spaces).

<210> 1

<211> 1689

<212> DNA

<213> chicken

Please give the Genus species for the "<213> chicken" response above.

Same error in subsequent sequences.

<210> 8  
<211> 31  
<212> PRT  
<213> Homo sapiens

<220>  
<221> MISC\_FEATURE  
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<223> hnRNP A1 is defined as a human hnRNP core protein.

<220>  
<221> MISC\_FEATURE  
<222> (1)..(6)  
<223> Correspond to amino acids 16 - 21 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (7)..(7)  
<223> Xaa corresponds to amino acids 22 - 54 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (8)..(15)  
<223> Correspond to amino acids 55 - 62 of hnRNP A1.

<220>  
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<222> (16)..(16)  
<223> Xaa corresponds to amino acids 63 - 106 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (17)..(22)  
<223> Correspond to amino acids 107 - 112 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (23)..(23)

<223> Xaa corresponds to amino acids 113 - 145 of hnRNP A1.

The explanations for the Xaa's at locations 17,16,23 are invalid. An Xaa can only represent a single amino acid: please show the maximum number of positions, and explain that some may be missing. Also, please explain "hnRNP A1." Same error in Sequence 9.

\*\*\*\*\*

Application No: 09849967

Version No: 5.0

Input Set:

Output Set:

Started: 2007-06-22 19:34:48.713

Finished: 2007-06-22 19:34:48.969

Elapsed: 0 hr(s) 0 min(s) 0 sec(s) 256 ms

Total Warnings: 0

Total Errors: 1

No. of SeqIDs Defined: 4

Actual SeqID Count: 10

Error code	Error Description
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E 252	Calc# of Seq. differs from actual; 4 seqIds defined; count=10
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# SEQUENCE LISTING

<110> New York Medical College

<120> Splice Choice Antagonists as Therapeutic Agents

<130> 51230-00601

<140> 09849967

<141> 2001-05-08

<150> 09/849,967

<151> 2001-05-08

<160> 4

<170> PatentIn version 3.3

<210> 1

<211> 1689

<212> DNA

<213> chicken

<220>

<221> misc\_feature

<222> (1)..(1689)

<223> Full length cDNA sequence of chicken hnRNP A1.

<220>

<221> misc\_feature

<222> (141)..(1276)

<223> Open reading frame of cDNA sequence from chicken hnRNP A1.

<400> 1

gcgtctccac ccctcagcgg gcggcgggtga gtgcgccagg ccagcgccgg cgtgggaccg	60
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gagttagagt acccttccaa aatggctgct attaaggaag agagagaggt ggaagattac	180
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gaaaaatggg gcacactcac ggactgtgtg gtgatgagag acccaciaaac aaaacgttcc	360
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cgaccacata aggtggatgg acgtgtggtt gaaccaaaga gagcagtttc aaggaggat	480
tctgtaaagc ctggggcgca tctcacagta aagaaaatat ttgttggtgg cattaaagaa	540
gatacagaag aatataatTTT aagggggtac tttgaaacat atggcaagat cgaaacgata	600
gaagtcatgg aagacagaca aagtggaaag aaaagaggct tcgcttttgt aacttttgat	660

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gatcacgata cagttgataa aattgttgtt cagaaatacc atactataaa tggtcataac 720
tcggaagata aaaaagcact ctcaaaacaa gagatgcaga ctgccagctc tcagagaggt 780
cgtgggggtg gttcaggcaa cttcatgggt cgtggaaatt ttggaggtgg tggaggaaac 840
tttggccgag gaggaaactt tgggtgaaga ggaggctatg ggggtggtgg tggcgggtgg 900
gggagcagag gaagctttgg ggggtggtgat ggatacaacg gatttgggtga tggtggaac 960
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tatggaaacc caggtggtgg atatggaggt ggaggaggag gatatggtgg ctacaatgaa 1080
ggaggcaatt ttggaggtgg taattatgga ggcagtggaa actacaatga ctttggtaac 1140
tacagtggac agcagcagtc caattacggt cccatgaaag gtggtggcag ttttgggtgg 1200
agaagttcag gcagtcctta tgggtggtgg tatggatctg gaagtggaag tgggggctat 1260
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<210> 2
<211> 378
<212> PRT
<213> Chicken

```

```

<220>
<221> PEPTIDE
<222> (1)..(378)
<223> Amino acid sequence of chicken hnRNP A1

```

```

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Met Ala Ala Ile Lys Glu Glu Arg Glu Val Glu Asp Tyr Lys Arg Lys
1           5           10          15

```

```

Arg Lys Thr Ile Ser Thr Gly His Glu Pro Lys Glu Pro Glu Gln Leu
20           25           30

```

Arg Lys Leu Phe Ile Gly Gly Leu Ser Phe Glu Thr Thr Asp Asp Ser  
35 40 45

Leu Arg Glu Gln Phe Glu Lys Trp Gly Thr Leu Thr Asp Cys Val Val  
50 55 60

Met Arg Asp Pro Gln Thr Lys Arg Ser Arg Gly Phe Gly Phe Val Thr  
65 70 75 80

Tyr Ala Thr Val Glu Glu Val Asp Ala Ala Met Ser Ala Arg Pro His  
85 90 95

Lys Val Asp Gly Arg Val Val Glu Pro Lys Arg Ala Val Ser Arg Glu  
100 105 110

Asp Ser Val Lys Pro Gly Ala His Leu Thr Val Lys Lys Ile Phe Val  
115 120 125

Gly Gly Ile Lys Glu Asp Thr Glu Glu Tyr Asn Leu Arg Gly Tyr Phe  
130 135 140

Glu Thr Tyr Gly Lys Ile Glu Thr Ile Glu Val Met Glu Asp Arg Gln  
145 150 155 160

Ser Gly Lys Lys Arg Gly Phe Ala Phe Val Thr Phe Asp Asp His Asp  
165 170 175

Thr Val Asp Lys Ile Val Val Gln Lys Tyr His Thr Ile Asn Gly His  
180 185 190

Asn Cys Glu Asp Lys Lys Ala Leu Ser Lys Gln Glu Met Gln Thr Ala  
195 200 205

Ser Ser Gln Arg Gly Arg Gly Gly Gly Ser Gly Asn Phe Met Gly Arg  
210 215 220

Gly Asn Phe Gly Gly Gly Gly Gly Asn Phe Gly Arg Gly Gly Asn Phe  
225 230 235 240

Gly Gly Arg Gly Gly Tyr Gly Gly Gly Gly Gly Gly Gly Ser Arg  
245 250 255

Gly Ser Phe Gly Gly Gly Asp Gly Tyr Asn Gly Phe Gly Asp Gly Gly  
260 265 270

Asn Tyr Gly Gly Gly Pro Gly Tyr Gly Ser Arg Gly Gly Tyr Gly Gly  
275 280 285

Gly Gly Gly Pro Gly Tyr Gly Asn Pro Gly Gly Gly Tyr Gly Gly Gly  
290 295 300

Gly Gly Gly Tyr Gly Gly Tyr Asn Glu Gly Gly Asn Phe Gly Gly Gly  
305 310 315 320

Asn Tyr Gly Gly Ser Gly Asn Tyr Asn Asp Phe Gly Asn Tyr Ser Gly  
325 330 335

Gln Gln Gln Ser Asn Tyr Gly Pro Met Lys Gly Gly Gly Ser Phe Gly  
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Gly Ser Gly Gly Tyr Gly Gly Arg Arg Phe  
370 375

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<213> Homo sapiens

<220>  
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<223> Amino acid sequence of human hnRNP A1

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20 25 30

His Phe Glu Gln Trp Gly Thr Leu Thr Asp Cys Val Val Met Arg Asp  
35 40 45

Pro Asn Thr Lys Arg Ser Arg Gly Phe Gly Phe Val Thr Tyr Ala Thr  
 50 55 60

Val Glu Glu Val Asp Ala Ala Met Asn Ala Arg Pro His Lys Val Asp  
 65 70 75 80

Gly Arg Val Val Glu Pro Lys Arg Ala Val Ser Arg Glu Asp Ser Gln  
 85 90 95

Arg Pro Gly Ala His Leu Thr Val Lys Lys Ile Phe Val Gly Gly Ile  
 100 105 110

Lys Glu Asp Thr Glu Glu His His Leu Arg Asp Tyr Phe Glu Gln Tyr  
 115 120 125

Gly Lys Ile Glu Val Ile Glu Ile Met Thr Asp Arg Gly Ser Gly Lys  
 130 135 140

Lys Arg Gly Phe Ala Phe Val Thr Phe Asp Asp His Asp Ser Val Asp  
 145 150 155 160

Lys Ile Val Ile Gln Lys Tyr His Thr Val Asn Gly His Asn Cys Glu  
 165 170 175

Val Arg Lys Ala Leu Ser Lys Gln Glu Met Ala Ser Ala Ser Ser Ser  
 180 185 190

Gln Arg Gly Arg Ser Gly Ser Gly Asn Phe Gly Gly Gly Arg Gly Gly  
 195 200 205

Gly Phe Gly Gly Asn Asp Asn Phe Gly Arg Gly Gly Asn Phe Ser Gly  
 210 215 220

Arg Gly Gly Phe Gly Gly Ser Arg Gly Gly Gly Tyr Gly Gly Ser  
 225 230 235 240

Gly Asp Gly Tyr Asn Gly Phe Gly Asn Asp Gly Ser Asn Phe Gly Gly  
 245 250 255

Gly Gly Ser Tyr Asn Asp Phe Gly Asn Tyr Asn Asn Gln Ser Ser Asn  
 260 265 270

Phe Gly Pro Met Lys Gly Gly Asn Phe Gly Gly Arg Ser Ser Gly Pro

275

280

285

Tyr Gly Gly Gly Gly Gln Tyr Phe Ala Lys Pro Arg Asn Gln Gly Gly  
 290 295 300

Tyr Gly Gly Ser Ser Ser Ser Ser Ser Tyr Gly Ser Gly Arg Arg Phe  
 305 310 315 320

&lt;210&gt; 4

&lt;211&gt; 1136

&lt;212&gt; DNA

&lt;213&gt; Chicken

&lt;220&gt;

&lt;221&gt; misc\_feature

&lt;222&gt; (1)..(1136)

&lt;223&gt; Open reading frame of cDNA for chicken hnRNP A1

&lt;400&gt; 4

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 cagcacaggc catgagccta aggagccaga gcagttgaga aagctgttca ttggaggtct 120  
 gagcttcgag acgacggatg atagcttgag agagcacttt gaaaaatggg gcacactcac 180  
 ggactgtgtg gtgatgagag acccacaac aaaacgttcc agaggctttg gctttgttac 240  
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 acgtgtggtt gaaccaaaga gagcagtttc aaggaggat tctgtaaagc ctggggcgca 360  
 tctcacagta aagaaaatat ttgttggtgg cattaaagaa gatacagaag aatataattt 420  
 aagggggtac tttgaaacat atggcaagat cgaaacgata gaagtcatgg aagacagaca 480  
 aagtggaaag aaaagaggct tcgcttttgt aacttttgat gatcacgata cagttgataa 540  
 aattgttgtt cagaaatacc atactataaa tggtcataac tgcgaagata aaaaagcact 600  
 ctcaaaacaa gagatgcaga ctgccagctc tcagagaggt cgtgggggtg gttcaggcaa 660  
 cttcatgggt cgtggaaatt ttggaggtgg tggaggaaac tttggccgag gaggaaactt 720  
 tgggtggaaga ggaggctatg ggggtggtgg tggcgggtgg gggagcagag gaagctttgg 780  
 ggggtggtgat ggatacaacg gatttgggtga tgggtggcaac tatggaggtg gtcctggcta 840  
 tggcagcaga ggggggttat gtggtggtgg aggaccagga tatggaaacc cagggtggtgg 900  
 atatggaggt ggaggaggag gatatggtgg ctacaatgaa ggaggcaatt ttggaggtgg 960  
 taattatgga ggcagtggaa actacaatga ctttggtaac tacagtggac agcagcagtc 1020

caattacggt cccatgaaag gtggtggcag ttttgggtgt agaagttcag gcagtccta 1080

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<212> RNA  
<213> Homo sapiens

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<222> (1)..(10)  
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<400> 5

uagggcagggc 10

<210> 6  
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<212> RNA  
<213> Chicken

<220>  
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<223> Exonic splice silencer (ESS) nucleic acid sequence for hnRNP A1

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uagggaggggc 10

<210> 7  
<211> 8  
<212> PRT  
<213> Homo sapiens

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<222> (1)..(1)  
<223> Xaa represents a Lysine or an Arginine

<220>  
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<222> (3)..(3)  
<223> Xaa represents a phenylalanine or tyrosine

<220>  
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<222> (4)..(4)  
<223> Xaa represents a glycine or alanine

<220>  
<221> misc\_feature  
<222> (7)..(7)  
<223> Xaa can be any naturally occurring amino acid

<220>  
<221> SITE  
<222> (8)..(8)  
<223> Xaa represents a phenylalanine or tyrosine

<400> 7

Xaa Gly Xaa Xaa Pro Val Xaa Xaa  
1 5

<210> 8  
<211> 31  
<212> PRT  
<213> Homo sapiens

<220>  
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<220>  
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<222> (1)..(6)  
<223> Correspond to amino acids 16 - 21 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (7)..(7)  
<223> Xaa corresponds to amino acids 22 - 54 of hnRNP A1.

<220>  
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<223> Correspond to amino acids 55 - 62 of hnRNP A1.

<220>  
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<222> (16)..(16)  
<223> Xaa corresponds to amino acids 63 - 106 of hnRNP A1.

<220>  
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<222> (17)..(22)  
<223> Correspond to amino acids 107 - 112 of hnRNP A1.

<220>  
<221> MISC\_FEATURE  
<222> (23)..(23)  
<223> Xaa corresponds to amino acids 113 - 145 of hnRNP A1.

<220>  
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<222> (24)..(31)  
<223> Correspond to amino acids 146 - 153 of hnRNP A1.

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Ile Phe Val Gly Gly Ile Xaa Arg Gly Phe Ala Phe Val Thr Phe  
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<210> 9  
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<212> PRT  
<213> Homo sapiens

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<223> hnRNP A2 is defined as a human hnRNP core protein.

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<223> Correspond to amino acids 11 - 16 of hnRNP A2.

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<223> Xaa corresponds to amino acids 17 - 49 of hnRNP A2.

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<220>

<221> MISC\_FEATURE

<222> (24)..(31)

<223> Correspond to amino acids 141 - 148 of hnRNP A2.

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Leu Phe Val Gly Gly Ile Xaa Arg Gly Phe Gly Phe Val Thr Phe  
20 25 30

<210> 10

<211> 12

<212> PRT

<213> Homo sapiens

<220>

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<222> (1)..(12)

<223> hnRNP B1 is defined as a human hnRNP core protein.

Correspond to amino acids 3 - 14 of hnRNP B2.

<400> 10

Lys Thr Leu Glu Thr Val Pro Leu Glu Arg Lys Lys  
1 5 10